

**IN THE CLAIMS:**

Please **AMEND** claims 1, 2, 7, 13, 74, and 77, **ADD** new claims 82 and 83, and **CANCEL** claims 6, 75, 79, and 81 without prejudice or disclaimer in accordance with the following:

1. **(CURRENTLY AMENDED)** A disc for use with a recording and/or reproducing apparatus, the disc comprising:

a user data area in which user data is recorded;

a spare area other than the user data area and which comprises a substitute area for a defective area existing in the user data area; and

a temporary defect management area which comprises temporary defect information and temporary defect management information recorded for a recording operation for use by the recording and/or reproducing apparatus to perform disc defect management, the temporary defect information comprising information on a position of the defective area and information on a position of the substitute area, the temporary defect management information comprising a pointer to a recording position of the temporary defect information,

wherein the temporary defect management information is used by the recording and/or reproducing apparatus to manage the temporary defect information and includes an address area which comprises an address of last data that is last recorded in the user data area and which is accessed by the recording and/or reproducing apparatus.

2. **(CURRENTLY AMENDED)** The disc of claim 1, wherein, for each of a plurality of recording operations, the a pair of temporary defect management area comprises temporary defect information and temporary defect management information is recorded in the temporary defect management area in a location other than a location used for another pair relating to another one of the each of a plurality of recording operations for use by the recording and/or reproducing apparatus to perform disc defect managementsuch that each pair has a unique location.

3. **(CANCELED)**

4. **(ORIGINAL)** The disc of claim 2, wherein at least one of the temporary defect information and the temporary defect management information is repeatedly recorded on the disc.

5. **(PREVIOUSLY PRESENTED)** The disc of claim 2, further comprising a lead-in and/or a lead-out area other than the user data area and the spare area, wherein the temporary defect management area is formed in the lead-in area and/or the lead-out area other than the user data area and the spare area.

6. **(CANCELED)**

7. **(CURRENTLY AMENDED)** The disc of claim 2, wherein the temporary defect management information is recorded to correspond to the temporary defect information in the temporary defect management area, the temporary defect information being recorded in different locations for each of ~~a~~ the plurality of recording operations in which the user data is recorded in the user data area.

8-12. **(CANCELED)**

13. **(CURRENTLY AMENDED)** The disc of claim 1, further comprising a defect management area in a lead-in area and/or a lead-out area of the disc,  
wherein the defect management area is other than the temporary defect management area and further comprises a last recorded temporary defect information and a last recorded temporary defect management information recorded as defect information and defect management information, respectively, copied during finalization of the disc from the temporary defect management area, and

the last recorded temporary defect information and the last recorded temporary defect management information comprise the temporary defect information and the temporary defect management information last recorded in the temporary defect management area.

14. **(ORIGINAL)** The disc of claim 13, further comprising a plurality of the defect management areas.

15-32. **(CANCELED)**

33. **(ORIGINAL)** The disc of claim 1, wherein the disc is a write-once storage medium having a property which prevents, after the data is recorded on an area of the disc, new data

from being written to the area of the disc.

**34-53. (CANCELED)**

**54. (PREVIOUSLY PRESENTED)** A computer readable medium encoded with processing instructions for implementing a method of managing a defect in a storage medium performed by a computer, the method comprising:

transferring user data with respect to a user data area of the storage medium, the user data area comprising a first defective area with respect to which a first portion of the user data is transferred;

transferring first replacement data comprising the first portion of the user data with respect to a spare area of the storage medium other than the user data area;

if the storage medium is not to be finalized, transferring first management information with respect to a temporary defect management area of the storage medium so as to manage the user data and the first replacement data, the first management information comprising an address of a last portion of the user data to be recorded on the storage medium prior to creation of the first management information; and

if the storage medium is to be finalized, copying the first management information to a defect management area,

wherein the defect management area is other than the temporary defect management area and is reserved and empty prior to and to when the storage medium is to be finalized.

**55-63. (CANCELED)**

**64. (PREVIOUSLY PRESENTED)** The disc of claim 1, wherein the address area further comprises an address indicating a next address of the spare area to be used for next defective area replacement to be performed.

**65. (PREVIOUSLY PRESENTED)** The disc of claim 1, wherein the address area further comprises an address of a replacement data recorded in the spare area.

**66-73. (CANCELED)**

**74. (CURRENTLY AMENDED)** An apparatus for use with a disc having a user data

area, a temporary defect management area, and a spare area other than the user data area, the apparatus comprising:

a reading unit that reads data from the disc; and

a controller that controls the reading unit to read temporary defect information and temporary defect management information to manage the temporary defect information in the temporary defect management area of the disc, ~~wherein the temporary defect management information comprises~~ comprising an address of last user data that is last recorded in the user data area, information on a position of the defective area and information on a position of a substitute area which replaces the defective area, and the temporary defect management information comprising a pointer to a recording position of the temporary defect information, and the controller accesses recorded user data based on the temporary defect information and the temporary defect management information.

**75. (CANCELED)**

**76. (PREVIOUSLY PRESENTED)** The apparatus of claim 74, wherein the disc is a write-once storage medium having a property which prevents, after the data is recorded on an area of the disc, new data from being written to the area of the disc.

**77. (CURRENTLY AMENDED)** The ~~reproducing~~ apparatus of claim 74, wherein:  
the disc further comprises a defect management area other than the temporary defect management area into which the temporary defect information and temporary defect management information are copied when the disc is finalized;

the reading unit reads the data by reading the temporary defect information and the temporary defect management information in the defect management area and/or the temporary defect management area; and

the controller accesses the recorded user data by accessing the recorded user data based on the read temporary defect information and the temporary defect management information.

**78. (PREVIOUSLY PRESENTED)** The disc of claim 65, further comprising a record layer, wherein the address of the last data and the address of the replacement data are recorded to correspond to each other on the record layer.

**79. (CANCELED)**

80. **(PREVIOUSLY PRESENTED)** The computer readable medium of claim 54, wherein the first management information comprises information on a position of the first defective area and information on a position of the spare area which replaces the first defective area.

81. **(CANCELED)**

82. **(NEW)** The disc of claim 1, further comprising a defect management area other than the temporary defect management area and which is reserved and empty prior to and to when the storage medium is to be finalized.

83. **(NEW)** The apparatus of claim 74, wherein the disc further includes a defect management area other than the temporary defect management area and which is reserved and empty prior to and to when the storage medium is to be finalized.